

Statement from Congressman Solomon P. Ortiz, for the Record to the Veteran's Affairs Subcommittee on Disability Assistance and Memorial Affairs

Last week, I introduced legislation (HR 1927) that provides relief for widows of U.S. service members in fixing a long-standing problem in our military survivors benefit system, by allowing widows to receive all the benefits to which they are entitled, without one benefit offsetting another. This affects 59,000 widows and is companion legislation to S. 935, introduced by Senator Bill Nelson (FL).

Like most matters that involve federal payments, this is a complex yet pivotal matter of importance to the widows and dependents of our service members. Essentially, if service members purchase a benefit plan, the surviving spouse or dependents receive up to 55% of the service member's retired pay. The VA also offers payments to survivors of service members who die from a service-connected cause. Currently the law subtracts the VA payment from the survivor benefits payment, and that's the amount the widow or dependent will get. That's just wrong.

For too long, the painful offset between two programs has done precisely the opposite of what its purchasers intended it to do – protect the surviving loved one. Where else is a personally purchased annuity program able to refuse to pay benefits based on the ground of another benefit being received? No where. In fact, our federal civil servants receive both their personally purchased income protection annuity and any disability compensation for which they may be entitled, without an offset.

Why are the spouses and children of those who have made the ultimate sacrifice for their country forced to have their benefits reduced, solely based on a decision by their husband, wife, father or mother to purchase future security for their loved ones? Retiree's widows are being penalized for their husband's efforts to care for them after they die. My legislation corrects this reduction of benefits by eliminating the offset. The survivors of those killed defending our country deserve our very best support.

I urge this subcommittee to support my legislation and work to correct these injustices to our military spouses and children this year. We owe it to them for the incredible sacrifices they have endured; it is our obligation to correct this wrong, and it is profoundly the honorable thing to do.